

## REMARKS/ARGUMENTS

The Office Action mailed June 21, 2004 has been reviewed and carefully considered. Claims 1 and 5 are amended and claims 2, 6, and 10 are canceled. Claims 1, 3-5, and 7-9 are pending in this application, with claims 1 and 5 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed June 21, 2004, claims 1-10 stand rejected under 35 U.S.C. §103 as unpatentable over EP 0 597 638 (Beddoes) in view of U.S. Patent No. 5,295,180 (Vendetti).

According to the invention, an additional identity of a permanent nature is assigned to each of the base stations of a mobile communication system, the permanent identity being an additional identity to the cell global identity. Each base station includes the permanent identity in the information signal that is transmitted by the base station to all mobile equipment located in its communication coverage area or region (page 8, lines 11-14). As is known in the art, Cell Global Identity (CGI) information is transmitted in the broadcast control channel of a mobile communication network (see page 2, lines 21, to page 3, line 3). The permanent identity is an additional identity, i.e., in addition to the CGI (page 8, lines 7-9). The permanent identity is transmitted from the base station to the mobile terminals (page 8, lines 11-14). Even if the cell global identity changes, the terminal identifies the base station to which it is communicating from the permanent identity that remains the same (page 9, line 19, to page 10, line 5).

Independent claims 1 and 5 have been amended to incorporate the limitations of claims 2, 6, and 10 and now recite that the permanent base station identity designation is "in addition to the cell identity of the global cell identifier, wherein the information signal is

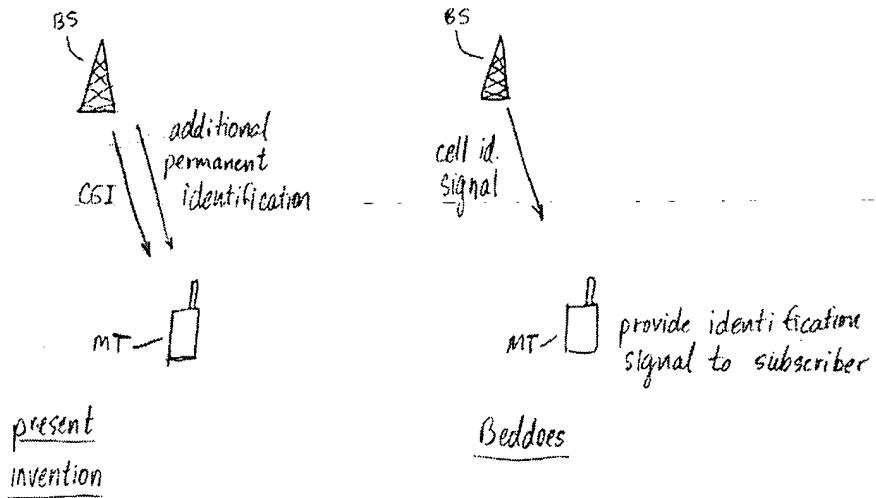
transmitted from the base station to the terminal equipment in a cell broadcast channel of the mobile communication network". Support for this limitation is found in claims 2, 6, and 10 and page 8, lines 7-9 of the present specification. Since this limitation is found in previously considered dependent claims, it is not the type of amendment requiring further search and consideration and entry is respectfully requested.

Independent claims 1 and 5 are further amended to recite "whereby the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier." Support for this limitation is found in the specification at page 9, line 19, to page 10, line 5. This added recitation was written as a "whereby" clause because it necessarily follows from the recitation "changing of the subscriber profile based on a permanent base station identity" (the permanent base station identity being independent of network reconfigurations) that the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier. Since this added limitation is a whereby clause and recites that which follows a pre-existing limitation, entry of this amendment is also respectfully requested as not being the type of amendment requiring further search and consideration.

Beddoes fails to disclose (1) that a permanent identity of a base station is generated and transmitted in an information signal from the base station to mobile terminals in its coverage area in addition to the CGI cell identifier, and (2) that the function of changing a subscriber profile based on a permanent base station identity does not require an update in response to changes to the cell identity of a CGI of a base station.

Beddoes discloses that the base station transmits a cell identifying signal (col. 2, lines 42-46, in Beddoes). Beddoes also discloses that the cell identifying signal is the known cell identifier for CGI, which is subject to change based on network reconfigurations (see col. 2, line 39-41, of Beddoes which refers to the known broadcast signal emitted by base stations as described at col. 1, lines 47-55 of Beddoes). Beddoes further discloses at col. 2, lines 44-46 that the cell identifying signal broadcast by the base station causes a corresponding identification signal to be provided by the mobile terminal to the subscriber. The identifying signal is not broadcast by the base station. Rather, it is generated by the mobile terminal in response to the cell identifying signal. Col. 2, lines 50-56, of Beddoes disclose that the identifying signal could identify an area by town, city, area code, or post code. For this reason, the Examiner states that the identifying signal is a permanent identifier of a base station as claimed in the present application. However, as pointed out above, even if *arguendo* the identification signal were to be considered a permanent identifier, the identification signal of Beddoes is not broadcast by the base station. Rather it is generated at the mobile terminal in response to the cell identifier received from the base station and is therefore subject to network reconfiguration changes.

The Figure shown below helps to highlight the differences between Beddoes and the currently claimed invention. Since the permanent identity of the claimed invention is an additional identity, the present invention discloses that both the CGI and the permanent identity are transmitted to the mobile terminals. In contrast, Beddoes discloses that only one cell identifying signal is sent from the base station to the mobile terminal. The mobile terminal of Beddoes provides an identification signal to the subscriber based on the cell identifying signal.



Since Beddoes discloses that only one cell identifying signal is sent to the mobile terminal, it fails to disclose, teach or suggest "transmitting, from the base station to the terminal equipment, an information signal for receipt by the terminal equipment when the terminal equipment is in an area served by the base station, the information signal comprising the permanent base station identity designation in addition to the cell identity of the global cell identifier, wherein the information signal is transmitted from the base station to the terminal equipment in a cell broadcast channel of the mobile communication network", as now expressly recited in independent claims 1 and 5.

As described above, the cell identifying signal of Beddoes corresponds to the known cell identifier disclosed in the present application and is subject to change due to network reconfigurations. Accordingly, a network reconfiguration could change the cell identifying signal of Beddoes and the CGI cell identifier of the present invention. However, a network reconfiguration would not change the permanent identification of the present invention. Accordingly, Beddoes fails to teach or suggest "changing, by the terminal equipment, the

subscriber profile based on the permanent base station identity designation received by the terminal equipment of the subscriber from the base station, whereby the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier." Moreover, Beddoes has the same problem as the prior art described in the present specification at page 2, lines 18-21. If a network reconfiguration implements new cell identifiers for the base stations, the mobile unit of Beddoes may not be able to generate the identifying signal in response to the new cell identifying signal because it will not recognize the new cell identifying signal until the mobile unit is updated to recognize the new cell identifier.

Vendetti fails to teach or suggest what Beddoes lacks. Vendetti discloses a cellular telephone communication system in which zones  $Z_1, Z_2, Z_3, \dots$  are defined within a cellular system 50. The zones may comprise subsections of a single cell 52 of the cellular system as shown in Fig. 2 (see col. 4, lines 35-37 of Vendetti). In any event, the zones are separate areas from the cells in Vendetti (see Fig. 2). To determine whether a user is within a zone, each zone has a marker transmitter  $M_1, M_2, \dots$  which transmits a marker signal identifying the zone (col. 5, lines 14-23). The marker transmitters are separate from the cell transceivers 54 in each cell 52. More specifically, Vendetti discloses that the zone identification is indicated by marker transmitters  $M_1, M_2, \dots$  and that the cell identification is indicated by cell transceivers 54 (i.e., base stations).

Regarding the cell site transceivers 54 (base stations), Vendetti discloses only that they are connected to a mobile telephone switching office (col. 4, lines 17-29). There is no further teaching or description as to how the identifying signals from the base stations are created. The creation and assignment of identifying signals are assumed to be in accordance with the prior art described in the present application. Accordingly, the disclosure of Vendetti regarding the cell

transceivers 54 fails to disclose, teach or suggest that the permanent base station identity designation is in addition to the cell identity of the global cell identifier, wherein the information signal is transmitted from the base station to the terminal equipment in a cell broadcast channel of the mobile communication network, or "changing, by the terminal equipment, the subscriber profile based on the permanent base station identity designation received by the terminal equipment of the subscriber from the base station, whereby the step of changing the subscriber profile is a function of the terminal equipment that does not require an update in response to a network reconfiguration changing the cell identity of the global cell identifier", as is recited in independent claims 1 and 5.

Dependent claims 3-4 and 7-9, each being dependent on one of independent claims 1 and 5, are deemed allowable for at least the same reasons as are independent claims 1 and 5.

The application is now deemed to be in condition for allowance, and early notice to that effect is solicited.

Respectfully submitted,

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